IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1039 OF 2003.

The State of Maharashtra. ... Applicant.

Versus.

Bhjarat Shankar Dhane & others. ... Respondents.

Shri S.V.More, A.P.P. for the Applicant.

Shri Shrikant Yadav for the Respondent No.1.

CORAM : ABHAY S.OKA, J.

DATED : 27th September, 2006.

P.C.:

1. Heard the learned A.P.P.appearing for grant of leave. I have perused the impugned Judgment and notes of evidence. Apart from inconsistent and contradictory evidence of the witnesses, there appears to be gross unexplained delay in filing the F.I.R. According to the case of the wife, she lodged F.I.R. after waiting for more than two months for the husband to come back and resume cohabitation.

2. The view taken by the trial Court is a possible view which could have taken on the basis of the evidence on record. No interference is called for. Prayer for leave is rejected. Appeal is rejected.

Judge.